

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

RASHEED ABDUL-RAHMAN RAJAH,
Plaintiff,

Civil Action No. 7:20CV00008

v.

MEMORANDUM OPINION

HAROLD W. CLARKE, ET AL.,
Defendants.

By: Hon. Glen E. Conrad
Senior United States District Judge

Plaintiff filed this civil rights action pursuant to 42 U.S.C. § 1983 in January of 2020. In its initial order, entered on January 7, 2020, the court advised plaintiff that the failure to promptly update his mailing address would result in the dismissal of this action. On May 5, 2020, the court entered an order that was mailed to plaintiff using the prison address he provided with his complaint. That order has been returned to the court as undeliverable, with an indication that no forwarding address was provided. The Virginia Department of Corrections (“VDOC”) inmate locator program, available on its website, reflects that plaintiff is no longer in the custody of the VDOC.

Based on the foregoing, the court finds that, pursuant to Rule 41(b) of the Federal Rules of Civil Procedure, plaintiff’s case should be dismissed without prejudice, because he has failed to prosecute this action. See Ballard v. Carlson, 882 F.2d 93, 96 (4th Cir. 1989) (stating that pro se litigants are subject to time requirements and respect for court orders and that dismissal without prejudice is an appropriate sanction for non-compliance). A separate final order will be entered herewith.

ENTER: This 14th day of May, 2020.



Senior United States District Judge